

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, AUGUST 8, 2001
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: NORMAN J. SNAY, CLERK
MARIE E. MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

MICHAEL KOEHS, DEPUTY CLERK
(Attendance record on file with Clerk.)

ABSENT: JOHN D. BRENNAN, SUPERVISOR

CALL MEETING TO ORDER

Clerk SNAY called the meeting to order at 7:00 P.M.

MOTION by MEERSCHAERT seconded by OLIVER to have Clerk SNAY chair the meeting.

MOTION carried.

1. ROLL CALL.

Deputy Clerk KOEHS called roll. Supervisor BRENNAN absent.

MOTION by DUNN seconded by MALBURG to abstain from calling BRENNAN for roll call votes.

MOTION carried.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA ITEMS.

Additions:

- 16a. Easement Encroachment Agreement; 17791 Rocco Drive, Lot #89; Willowood Subdivision No.2.
Supervisor's Comments:
- 20a. 2001 Michigan Assessors Association Continuing Education Courses
Executive Session:
- 26. Bielat Litigation

Tabled

- 8. Proposed Restrictive Covenants for Site 9.
- 25. Land Acquisition

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MOTION by DUNN seconded by MEERSCHAERT to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

MOTION by MEERSCHAERT seconded by DUNN to authorize payment of bills as submitted.

FOR THIS MOTION:	MEERSCHAERT, DUNN, OLIVER, BUCCI, MALBURG, SNAY
OPPOSED:	NONE
ABSENT:	BRENNAN

MOTION carried.

5. APPROVAL OF MEETING MINUTES

MOTION by DUNN seconded by OLIVER to approve minutes of July 25, 2001 as presented.

MOTION carried.

Clerk SNAY requested that Sergeant Bill Donovan and Deputy Chris Amey to approach board. Clerk Snay informed the Board and audience of a serious accident that took place at the intersection of 21 Mile Road and North Avenue within Macomb Township and that due to Deputy Amey's quick actions at the scene, he saved the women's life. Clerk SNAY presented Deputy Amey with a certificate of Commendation for his professionalism and heroic actions.

**The Macomb Township Board of Trustees
Presents this
Certificate of Commendation
To
*Deputy Chris Amey***

On July 13th 2001 Deputy Amey responded to an injury accident at 21 Mile Road and North Avenue in Macomb Township. Deputy Amey observed a critically injured person slumped over in the front seat of one of the vehicles. The person was hemorrhaging from the mouth and was not breathing. Deputy Amey performed cervical spinal precautions, thus opening her airway allowing respiration to resume. Deputy Amey's quick actions and professionalism was responsible for saving the life of the injured person.

The Macomb Township Board of Trustees hereby extends its gratitude and commends Deputy Chris Amey for his professionalism and heroic actions.

Presented this the 8th day of August 2001.

Chief Ahonen also reviewed the heroic actions of Deputy Amey at the scene and presented a certificate in honor of his quick actions and professionalism.

Chief Ahonen presented Officer Greg Burks, a probationary Fire Fighter, a certificate of appreciation in recognition of performing life saving procedure and the saving of a human life.

6. Public Comments (Non Agenda items only – 3 minute time limit)

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Mr. Dale Burke, Township resident, stated his concern regarding the odd/even water restrictions/enforcement and the current water pressure.

PLANNING COMMISSION:

7. Rezoning Request; Agricultural (AG) and Residential Urban-One Family (R-1) to Residential Urban-One Family (R-1); Located north of 22 Mile Road and approximately 1250 feet west of Romeo Plank; Section 20; Carol Demick Medovarski, Petitioner. Permanent Parcel No. 08-20-451-002.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed rezoning, surrounding property and stated the recommendation of the Planning Commission to approve to rezoning.

Petitioner Present: Doug Cruickshank representing Mr. Medovarski

Public discussion was held regarding ordinance restrictions within the R-1 zone and stated concerns with current flooding onto adjacent properties and weed growth on the site in question.

MOTION by OLIVER seconded by MALBURG to follow the recommendation of the Planning Commission and grant the rezoning of Permanent Parcel No. 08-20-451-002 from Agricultural (AG) and Residential Urban-One Family (R-1) to Residential Urban-One Family (R-1).

MOTION carried.

NEW BUSINESS:

8. Proposed Restrictive Covenants for Site 9.

Tabled

9. Release of Monuments and Irons Bond; Buckingham Woods Subdivision No.1 and No.2; Located between 22 Mile and 23 Mile Road and ¼ mile west of future Heydenreich Road. Section 21.

Clerk SNAY stated the necessary departments had reviewed the request and were recommending approval.

MOTION by MEERSCHAERT seconded by OLIVER to authorize the release of the Monuments and Irons Bond for Buckingham Woods Subdivision No.1 in the amount of nine thousand five hundred seventy dollars and 00/100 (\$9,570.00) and No.2 in the amount of six hundred ten dollars and 00/100 (\$610.00)

MOTION carried.

10. MML (Michigan Municipal League) Board of Trustees Worker's Compensation Fund Ballot.

Clerk SNAY reviewed the request and asked the Board for recommendations.

MOTION by DUNN seconded by MALBURG to authorize the Township Clerk to execute the ballot with the eight (8) candidates as presented.

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MOTION carried.

11. Authorization for Township Attorney to Commence Easement Condemnation Proceedings.

Clerk SNAY reviewed the request.

Larry Dloski, Township Attorney, also reviewed the request and stated that the easement is required for the development and the developer is responsible for the costs associated with acquiring the easement.

MOTION by OLIVER seconded by DUNN to authorize legal counsel to commence Condemnation Proceedings; Permanent and Temporary Construction Easements/Twenty Five Mile Road.

MOTION carried.

BUILDING DEPARTMENT:

12. Request to advance Building Inspectors to Level II after two years of Level I.

Bob Beckett, Building Official, reviewed the request and stated that the inspectors have received all the required training and are qualified by the state.

Board discussion was held regarding if the level increase is a contractual matter.

MOTION by OLIVER seconded by DUNN to table this matter to the meeting of August 22, 2001.

MOTION carried.

PARKS AND RECREATION DEPARTMENT:

13. Request to Print and Mail the Fall Edition of the Dimensions Brochure.

Martin Piepenbrok, Parks and Recreation Director, reviewed the request and stated his recommendation to award the printing of the brochure to Litho Printing Services.

Public Portion:

MOTION by DUNN seconded by MALBURG to authorize Litho Printing Services, Inc. to print the Fall Edition of the "Dimensions" brochure for the total cost of four thousand seven hundred thirty dollars and 00/100 (\$4,730.00) and approve the bulk mailing postage for the estimated cost of two thousand nine hundred eighty four dollars and 41/100 (\$2,984.41).

MOTION carried.

14. Request to attend National Recreation & Park Association Congress and Exposition.

Martin Piepenbrok, Parks and Recreation Director, reviewed the request and stated that this Congress and Exposition is the premier conference for parks and recreation professionals.

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Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the attendance of Martin Piepenbrok, Parks and Recreation Director, to the National Recreation and Park Association Congress and Exposition scheduled for October 2-6, 2001 for the estimated cost of two thousand one hundred ninety three dollars and (\$2,193.00).

MOTION carried.

WATER/SEWER DEPARTMENT:

15. Approval of Pay Certificate No.3, Macomb Township Civic Center Utilities and Roads, MA 98-37.

David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the payment of Pay Certificate No.3; Macomb Township Civic Center Utilities & Roads; DiPonio Contracting MA 98-37 in the amount of six hundred fifty four thousand four hundred seventy eight dollars and 06/100 (\$654,478.06) as presented.

MOTION carried.

16. Approval of Pay Certificate No.3, Patnick Sanitary Sewer, MA 00-02 & MA 97-21, Pamar Enterprises.

David Koss, Water/Sewer Superintendent, stated his office and the Township Engineers of Spalding DeDecker & Assoc. had reviewed the pay certificate and were recommending approval for this payment. Mr. Koss also stated that the project is not complete.

Board discussion was held regarding the condition of the sod installed at the site.

Public Portion: None

MOTION by DUNN seconded by MALBURG to authorize the payment of Pay Certificate No.3; Patnick Sanitary Sewer; Pamar Enterprises; MA 00-02 & MA 97-21 in the amount of twenty six thousand one hundred forty dollars and 60/100 (\$26,140.60) as presented.

MOTION carried.

- 16a. Easement Encroachment Agreement; Kenneth J. Stallons and Laura L. Stallons; 17791 Rocco Drive, Lot #89 in the Willowoods Subdivision No. 2.

David Koss, Water/Sewer Superintendent, stated this was an agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of this agreement.

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Public Portion: None

MOTION by MEERSCHAERT seconded by MALBUTG to grant and execute the Easement Encroachment Agreement for a pool for Lot #89; 17791 Rocco Drive within the Willowoods Subdivision No.2.

MOTION carried.

17. Request purchase of Department Computers.

David Koss, Water/Sewer Superintendent, reviewed the request and stated one computer was to replace an existing monitor for lift stations and the 2nd was to complete a new work station.

Board discussion was held regarding the new systems being reviewed by Deputy Clerk/Systems Administrator KOEHS.

MOTION by DUNN seconded by MALBURG to authorize the purchase of two (2) computers for the Water/Sewer Department for the total cost of three thousand one hundred ninety one dollars and 40/100 (\$3,191.40) as presented.

MOTION carried.

18. Approval of Purchase Requisition:
a. SLC Meter Service
b. Schramm's Artistic Landscaping

David Koss, Water/Sewer Superintendent, reviewed the purchase requisitions and stated his recommendation to approve.

Public Portion: None

MOTION by OLIVER seconded by DUNN to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of forty three thousand one hundred fifty five dollars and 00/100 (\$43,155.00).

MOTION carried.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to Schramm's Artistic Landscaping for the total amount of three thousand four hundred seventy dollars and 00/100 (\$3,470.00).

MOTION carried.

Mr. Koss informed the Board that the water pressure has been very low throughout the township over the last couple weeks and the Water/Sewer Department is doing everything possible day and night to maintain the system.

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FIRE DEPARTMENT:

19. Request for Captain Myny to attend Fire Inspectors Conference.

Raymond Ahonen, Fire Chief, reviewed the request and stated that these credits are required to maintain licensing.

MOTION by OLIVER seconded by DUNN to authorize Captain Myny to attend the 52nd Annual Michigan Fire Inspector's Fall Education Seminar for the total cost of four hundred ninety eight dollars and 85/100 (\$498.85) plus meals and mileage as presented.

MOTION carried.

BOARD COMMENTS:

20. Supervisor's Comments
a. 2001 Michigan Assessors Association Continuing Education Courses

Clerk SNAY reviewed the request and stated the are required for continual education.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve the attendance of Carole Nicholson, Robert Thomas, Jennifer Meress and Beverly Benoit to the 2001 Michigan Assessors Association Courses for the total cost of one thousand seven hundred thirty six dollars and 70/100 (\$1,736.70) plus meals and mileage.

MOTION carried.

21. Clerk's Comments

None

22. Treasurer's Comments

None

23. Trustee's Comments

None

Larry Dloski, Township Attorney, informed the Board that he has spoken with David Klein from the Department of Environmental Quality regarding the SMDA Site and that a meeting had been request by Representative Leon Drulet regarding Sites 9 & 9A. Mr. Dloski believed that the meeting was scheduled for Monday, August 13th, 2001 at 7:00 at Dakota High School.

Clerk SNAY stated he would call to confirm the meeting.

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MOTION by MEERSCHAERT seconded by OLIVER to adjourn into Executive Session at 7:52 p.m.

MOTION carried.

Returned from Executive Session at 9:24 p.m.

EXECUTIVE SESSION:

24. Grand Sakwa v Macomb Township (Tabled from the meeting of July 22, 2001).

Informational Only

25. Land Acquisition

Tabled

26. Bielat Litigation

MOTION by MEERSCHAERT seconded by OLIVER to deny payments to the plaintiffs.

MOTION carried.

ADJOURNMENT

MOTION by MEERSCHART seconded by DUNN to adjourn the meeting at 9:25 P.M.

MOTION carried.

John D. Brennan, Supervisor

Norm J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM